

REMARKS

Applicant thanks the Examiner for his review of the application.

Election/Restriction

In the Office Action dated June 29, 2007, the Examiner determined that claim 10 was a combination claim of a method for providing session protection and a method for providing private storage service. Since claim 1 claims only a session protection but not private storage services, the Examiner concluded that the subject matter disclosed in claim 10 was not related to the subject matter disclosed in claim 1.

Applicant hereby withdraws claim 10 from consideration without traverse. Applicant reserves the right to present the withdrawn claim in a divisional application at a later date.

Claim Objections

Because claim 10 has been withdrawn from consideration, the Examiner interpreted that claims 12 – 13 depend on claim 1 not claim 10.

In the present amendment, claim 12 has been rewritten to depend from claim 1, and claim 13 has been withdrawn without prejudice. Withdrawal of the claim objection is requested.

Claim Rejections – 35 U.S.C. §112

The Examiner rejected claim 1 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particular, the limitation “said application” recited in claim 1 does not have sufficient antecedent basis.

In the present amendment, the limitation “said application” has been changed to “said client application” in claim 1. Claim 1, as amended, is definite because there is sufficient antecedent basis for the limitation “said client application.” Withdrawal of claim rejection under 35 U.S.C. §112, second paragraph is respectfully requested.

Double Patenting

In the June 29, 2007 Office Action, Claim 1 was rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claim 1 of U.S. Patent No. 6442687.

Applicant does not admit that an obviousness-type double patenting situation exists, because the current claim eliminated the steps of encrypting and decrypting the identity information at the identity server, however, since the present application and the U.S. Patent No. 6442687 are commonly owned by Pono Corp., Applicant submits herewith a terminal disclaimer in compliance with 37 CFR 1.321 together with the required terminal disclaimer fee in order to overcome the double patenting rejection. Withdrawal of the nonstatutory obviousness-type double patenting rejection is respectfully requested.

Claim Rejections – 35 U.S.C. §103

In the June 29, 2007 Office Action, Claims 1 and 11 – 13 were rejected under 35 U.S.C. §103(a) as being unpatentable over Smith et al. (US 6061448) (hereafter Smith) in view of Luo (US 5909491) (hereafter Luo).

Applicant submits that neither Smith nor Luo, alone or in combination, discloses all the features of claim 1. Smith teaches a method of encrypting a document with a secret key and

obtaining the recipient's public key from a Delivery Server so that the sender can encrypt the secret key with the recipient's public key, and that the recipient can decrypt the secret key with the recipient's private key and then can decrypt the document with the secret key. (Smith: Fig 3, and column 4 line 64 – column 5 line 30, and column 6 lines 40 – 49). However, the present invention concerns the protection of user's privacy in requesting data, not the delivery of secret keys. Fundamentally, in Smith, the user is seeking to send a document to another user in a secure manner. The only "user request" is for the recipient's public key, so that the document can be encrypted. However, this request for the recipient's key is not itself encrypted. Unlike the identity server in claim 1, the first server in the communication chain of Smith knows both the identity of the requester and the information (the recipient's public key) being requested. Any privacy associated with the request would be immediately lost. Although Luo concerns sending requests and information through an intermediate server, it does not teach or suggest anything about hiding a complete set of identity and request information from that server, and thus does not provide any teaching or suggestion that would be useful in adapting Smith to meet the objectives of the present invention.

Withdrawal of the § 103(a) rejection of claims 1 is respectfully requested. Withdrawal of the § 103(a) rejection of claims 11 and 12 is further requested because they depend from claim 1.

CONCLUSION

In view of the foregoing, Applicant respectfully requests that the claims be allowed.

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Respectfully submitted,

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